

**DEPARTMENT OF CONSUMER CREDIT POLICY STATEMENT  
ON  
EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION**

Consistent with federal and state laws and guidelines established for equal employment opportunity and affirmative action, I would like to affirm my continuing policy to provide equal employment and advancement opportunity in all job classifications of this Department without regard to race, color, religion, sex, national origin, age, political affiliation, or opinion or disability so long as the disability does not render the person unable to do the work for which employed.

The principles of equal employment opportunity apply to all employment practices and personnel actions throughout the Department, including recruiting, hiring, promotions, demotions, separations, training, transfers, layoffs (RIF), recall, compensation, benefits and all other terms and conditions of employment. I want to remind each employee that all personnel actions as well as all decisions relating to employment practices are to be made in accordance with the spirit of equal employment opportunity for all.

We have developed an affirmative action plan to help us achieve our goal of equal employment opportunity for all. Roy John Martin, General Counsel of the Department, located at 3613 N.W. 56th Street, Suite 240, Oklahoma City, Oklahoma 73112, telephone number 405-521-3653, email address [rmartin@okdoecc.ok.gov](mailto:rmartin@okdoecc.ok.gov), has been delegated the responsibility of implementing the plan, including monitoring and evaluating our progress and reporting the results to me.

In addition, the General Counsel of the Department is assigned to serve as the Affirmative Action/Equal Employment Opportunity Officer for this Department. He is available to any employee having questions or needing assistance in regards to affirmative action or equal employment opportunity in this Department.

My personal commitment to this policy is complete. I accept overall responsibility for equal employment opportunity and affirmative action within this Department. I expect each and every employee to perform his/her duties and responsibilities in a manner that will demonstrate this Department's firm commitment in this most important area.



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Scott Leshner  
Administrator  
August 25, 2011

## **POLICY AGAINST SEXUAL HARASSMENT**

It is the policy of the Department not to discriminate in any of its employment practices on the basis of race, color, religion, sex, national origin, age, political affiliation or opinion, or disability so long as the disability does not render the employee unable to do the work for which employed, or marital status. Any form of unlawful discrimination to which this policy applies is a very serious matter and will not be tolerated.

Sexual harassment is a form of unlawful discrimination based on sex. In some circumstances, it may violate other laws (for example, criminal assault). Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Conduct prohibited by this policy includes, but is not limited to:

Unwelcome sexual flirtation;

Advances or propositions for sexual activity;

Continued or repeated verbal abuse of a sexual nature, such as suggestive comments and sexually explicit jokes;

Sexually degrading language to describe an individual;

Remarks of a sexual nature to describe a person's body or clothing;

Display of sexually demeaning objects and pictures;

Offensive physical contact, such as unwelcome touching, pinching, or brushing the body;  
Coerced sexual intercourse and

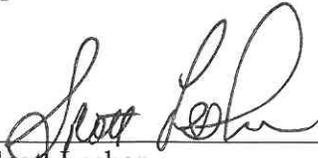
Sexual assault.

Such conduct is unlawful discrimination based on sex when submission to such conduct is explicitly or implicitly a requirement of the individual's employment, or used as a basis for any employment-related decision concerning that individual, or when such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creates an intimidating, hostile or offensive work environment.

Sexual harassment will not be condoned. Employees are absolutely prohibited from engaging in sexual harassing behavior. Furthermore, any supervisory employee, employee with authority for personnel matters, or other agent or officer of this Department who knows or should have known that an employee of this Department is being subjected to sexual harassment must either take immediate corrective action or report the facts to a supervisor or to me. All employees have a duty to immediately report sexual harassment to a supervisor or directly to me.

Appropriate disciplinary measures will be taken against any employee who causes, engages in, encourages, condones or otherwise permits unlawful sexual harassment, as well as supervisory or other responsible employees who fail to take corrective action as provided above. Such conduct may be grounds for disciplinary action, up to and including termination of employment.

Any employee who believes that he or she has been the victim of sexual harassment may complain of discrimination based on sex in accordance with the Department's sexual harassment policy. Any employee attempting to penalize or retaliate against another employee for filing a complaint, reporting an incident of sexual harassment, or cooperating with an investigation of alleged sexual harassment, shall be subject to disciplinary action, up to and including termination of employment. It is the responsibility of all employees in this Department, supervisory and non-supervisory, to adhere to this policy and to use all reasonable efforts to further its goals and spirit.

A handwritten signature in cursive script, appearing to read "Scott Lesher", written over a horizontal line.

Scott Lesher

Administrator

August 25, 2011

## **RESPONSIBILITIES FOR AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT OPPORTUNITY**

### (a) Administrator

The Administrator, Scott Leshner, has personal, overall responsibility for equal employment opportunity and affirmative action within the Department.

### (b) Affirmative Action Officer

The Department's General Counsel, Roy John Martin, serves as the Affirmative Action Officer. In the role of Affirmative Action Officer, the General Counsel has primary responsibility for affirmative action plan implementation and equal employment opportunity within the Department. The General Counsel is supervised by and reports directly to the Administrator. Some general areas of responsibility for the Affirmative Action Officer include:

- (1) Developing affirmative action plans, programs, policy statements and internal communications;
- (2) Assisting in the identification of problem areas and effecting solutions to problems;
- (3) Designing and implementing audit and reporting systems to:
  - (A) Measure the effectiveness of the Department's program;
  - (B) Indicate remedial action needed to correct deficiencies;
  - (C) Determine the degree to which the Department's goals and objectives have been attained.
- (4) Serving as liaison between the Department and various state and federal compliance agencies;
- (5) Serving as the Department's outreach and referral resource for minority organizations, women's organizations, organizations for disabled and older persons and community action groups concerned with employment opportunities for minorities, women, disabled and older person;
- (6) Investigating cases and drafting recommendations for resolution of discrimination complaints;
- (7) Keeping the Department's various organizational levels informed of developments in the EEO area;

(8) Inspecting the Department's various worksites to ensure that EEO information is being disseminated and prominently displayed when appropriate;

(9) Monitoring the Department's personnel practices to ensure no discriminatory practices exist.

(c) Supervisors

Supervisors are responsible for following applicable federal and state law and Department policies and procedures regarding equal employment opportunity and discrimination in all personnel decisions. Supervisors are also responsible for assuring equal employment opportunity in all personnel decisions. Specific responsibilities of Supervisors include the following:

(1) Assisting in the identification of problem areas and establish division and team goals and objectives;

(2) Monitoring training programs and the hiring and promotion patterns of the Department to assist in the elimination of any impediments to affirmative action and equal employment opportunities;

(3) Informing employees of affirmative action, discrimination and equal employment opportunity policies and changes;

(4) Reporting violations of Department policies and procedures concerning discrimination, equal employment opportunity and sexual harassment;

(5) Conducting career counseling with employees, with special attention given to minorities, women, disabled persons and older workers to ensure they have full access to opportunities for career progression (i.e., transfers promotions, training, etc.);

(6) Active involvement with organizations that work with or on the behalf of minorities, women, disabled and older persons, as well as community-based agencies and leaders;

(7) Scheduling regular meetings and training sessions with supervisory staff and/or employees to keep them abreast of policy changes and program objectives;

(8) Regular communication with staff to emphasize the Department's EEO policies, including the policy against harassment of employees.

(d) Employees

Employees are responsible for contributing to equal employment opportunity within the Department. Specific responsibilities of employees include the following:

- (1) Applying laws, regulations, policies and procedures in a fair and impartial manner without regard to race, color, religion, gender, national origin, age, political affiliation or opinion or disability so long as the disability does not render the person unable to do the work for which employed;
- (2) Aiding Supervisors in the identification of problem areas involving equal employment opportunities;
- (3) Following applicable federal and state law and Department policies and procedures regarding equal employment opportunity, discrimination and sexual harassment;
- (4) Reporting violations of Department policies concerning discrimination, equal employment opportunity and sexual harassment to Supervisors;
- (5) Exhibiting an attitude of respect, courtesy and cooperation toward fellow employees and the public;
- (6) Aiding Supervisors in carrying out their responsibilities with regard to the EEO/AA program;
- (7) Being familiar with the affirmative action plan and make a good faith effort to complete their assigned responsibilities as identified in the plan.

#### **DISSEMINATION OF AFFIRMATIVE ACTION PLAN**

The Department's annual affirmative action plan shall be posted on the Department's Internet website at [www.ok.gov/okdocc](http://www.ok.gov/okdocc). A copy of the Department's annual affirmative action plan will be included as an appendix to the Department's Employee Manual, which shall be provided to all employees. A revised affirmative action plan will be included in the Department's Employee Manual on an annual basis after the annual affirmative action plan has been approved by the Office of Personnel Management. A revised affirmative action plan will also be included on the Department's Internet website at [www.ok.gov/okdocc](http://www.ok.gov/okdocc) after the annual affirmative action plan has been approved by the Office of Personnel Management.

#### **AFFIRMATIVE ACTION FOR DISABLED AND OLDER PERSONS**

If a disability does not interfere with a person's ability to perform job duties, the disability is disregarded in the hiring and or promotion process. If a health situation develops with an existing employee that might restrict the employee's abilities in the future, the employee will be encouraged to continue employments and adjustments will be made to assist the employee in the performance of his or her duties. Furthermore, age is not a factor in either hiring or promotional opportunities at the Department.

## **TRAINING**

Training opportunities are available to all employees on a non-discriminatory basis. Training is designed to develop skills that will improve an employee's current performance, qualify an employee for advancement to higher-level positions or fill positions that have been identified as a line of progression.

## **RECRUITMENT**

The Department recruits classified employees through the Office of Personnel Management. When a particular minority group is determined to be underutilized at the Department, the Department utilizes an alternative hiring process authorized by the Fair Employment Practices Act to recruit specified minority group applicants.

## **EVALUATION OF PRECEDING YEARS' AA/EEO REPORTS**

The Department had sixteen (16) employees at the beginning of Fiscal Year 2011. Twelve (12) employees were White (75%), two (2) employees were black (13%), one employee was Hispanic (6%) and one employee was American Indian (6%). Six (6) employees were male (38%) and ten (10) employees were female (63%).

The Department had twenty (20) employees at the conclusion of Fiscal Year 2011. Fourteen (14) employees were White (70%), two (2) employees were Asian/Pacific Islander (10%), two (2) employees were American Indian (10%), one (1) employee was Hispanic (5%) and one (1) employee was black (5%). Eight (8) employees were male at the conclusion of the fiscal year (40%) and twelve (12) employees were female at the conclusion of the fiscal year (60%).

The Department hired thirteen (13) employees during the fiscal year. Eight (8) new hires were white (62%) with two (2) males and six (6) females; two (2) new hires were Asian/Pacific Islander (15%) and both were males and three (3) were American Indian (23%) with two (2) males and one (1) female.

The Department promoted three (3) employees during the fiscal year. Of the three (3) promotions during the fiscal year, two (2) were American Indian females and one (1) was a Hispanic female. The Department also had two (2) demotions during the fiscal year and both demoted employees were white females.

Nine (9) separations occurred during the fiscal year. Six (6) white employees separated, one (1) black employee separated and two (2) American Indian employees separated, both of which were hired during the fiscal year. Four (4) of the separated employees were males (2 white males and 2 American Indian males) and five (5) of the separated employees were females (4 white female employees and 1 black female employee).

The previous year report indicated that the Asian/Pacific Islander minority group was underutilized in the professional job group. The previous year report also identified the

Hispanic, Asian/Pacific Islander and American Indian minority groups were underutilized in the administrative support job group.

The Department corrected the underutilization of the Asian/Pacific Islander minority group by hiring two (2) Asian/Pacific Islander applicants as Consumer Credit Examiners in the professional job group. The Department corrected the underutilization of the American Indian minority group in the administrative support job group by hiring two (2) American Indian applicants, one of which remains employed at the Department.

### **IDENTIFICATION OF PROBLEM AREAS AND CORRECTIVE ACTION**

The utilization analysis for the current plan/report indicates that minority groups are not underutilized in the professional job group. However, the utilization analysis does indicate that all minority groups are underutilized in the official/administrator job group and all minorities except the American Indian minority group are underutilized in the administrative support job group. The utilization analysis also indicates that females are underutilized in the professional job group.

The Department is committed to alleviate these deficiencies. To correct the underutilized minorities in the referenced job groups, the Department will utilize the alternative hiring process authorized by the Fair Employment Practices Act to specifically target black, Hispanic and Asian/Pacific Islander candidates for at least one vacancy that may occur in the administrative support job category.

The Department does not anticipate any vacancies in the official/administrator job category. If an unanticipated vacancy occurs in the official/administrator job group, the Department will recruit qualified candidates from minority groups. The Administrator, Affirmative Action Officer and supervisors are responsible for implementing corrective action.